

REMARKS / ARGUMENTS

The present application includes pending claims 1-34, of which claims 1-31 were previously presented and claims 32-34 are newly added claims to replace cancelled claims 6, 16 and 26 respectively. Claims 1-5, 7-15, 17-25 and 27-31 are rejected under 35 USC 102(e) as anticipated by Pettey (Pub. No. 2003/0014544A1). Claims 6, 16 and 26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 2-5, 7-10, 12-15 and 17-20 have been amended, as set forth above to further clarify the language used in these claims and to further prosecution of the present application. Claims 6, 16 and 26 are cancelled and are respectively replaced with respective newly added claims 32-34 to include all of the limitations of the base claim and any intervening claims as suggested by the Examiner. The Applicant therefore respectfully submits that claims 32-34 are allowable. The Applicant submits arguments with respect to claims 1-5, 7-15, 17-25 and 27-31 and respectfully submits that the claims define patentable subject matter.

I. REJECTION UNDER 35 U.S.C. § 102(e)

MPEP 2131 states:

“[a] claim is anticipated only if **each and every element** as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” See MPEP at 2131 (internal citation omitted). Furthermore, “[t]he identical invention must be shown in as complete detail as is contained in the ... claim.” See *id.* (internal citation omitted).

The Proposed Pettey (Pub. No. 2003/0014544A1) Does Not Anticipate Claim 1As Unpatentable

The Applicant turns to the rejection of claim 1 under 35 U.S.C. § 102(e) as being anticipated by Pettey (Pub. No. 2003/0014544A1 hereafter Pettey). The Applicant submits that Pettey does not teach at least the limitation of “posting at least one **generic buffer** located in a memory external to a host adapter; and **transferring incoming data for a TCP connection to said at least one posted generic buffer prior to the non-posting TCP application posting a TCP application posted buffer for said incoming data**” as recited by the Applicant in the independent claim 1.

A. Rejection of Claim 1

With respect to independent claim 1, in the Office Action, the Examiner states:

“Pettey teaches the invention as claimed, including a method for posting buffers for a non-posting TCP application, the method comprising: posting at least one generic buffer located in a memory external to a host adapter (Fig 5; page

10, paragraphs [0088 - 0089]); and transferring incoming data for a TCP connection to said at least one posted generic buffer prior to the non-posting TCP application posting a TCP application posted buffer for said incoming data (page 10, paragraphs [0090 - 0091])." (See the Office Action at page 5).

Firstly, the Applicant submits that the use of "**generic buffer**" cannot be found in Pettey. Instead, Pettey teaches or discloses the use of memory buffers for specific layers such as the MSG buffer 533 for the applications 531, the SEG buffers 537 for the TCP 535, the PKT buffers 539 for the IP 538 and the Frame Buffers 541 for the MAC 540. (See FIG. 5 of Pettey)

Secondly, the Applicant submits that at least due to the absence of "generic buffer", Pettey does not disclose or teach "**transferring incoming data for a TCP connection to said at least one posted generic buffer**". Pettey discloses or teaches efficient TCP/IP transaction from the HCA 502 to the MSG buffers 533 through the DMA logic 504. For example, Pettey states:

"If acceleration of the connection is granted by the target adapter, then the target adapter **sends a remote direct memory access (RDMA) read command to the HCA 502 designating the memory addresses of the applicable message buffers 533**. Accordingly, the DMA logic 504 reads the message data from the applicable message buffers 533 and provides the data to the TCP-aware target adapter in an RDMA response, **thus bypassing the server TCP/IP/MAC processing that is required to deliver the message data to the designated client over a native client LAN.**" (See Pettey ¶[0093])

Hence, the Applicant submits that Pettey's teaching of using RDMA bypassing the server TCP/IP/MAC processing further substantiates that there is no generic

buffer used and consequently there is no teaching of **"transferring incoming data for a TCP connection to said at least one posted generic buffer"**.

Thirdly, the Applicant submits that due to at least the absence of "generic buffer" and the lack of teaching of **"transferring incoming data for a TCP connection to said at least one posted generic buffer"**, consequently Pettey does not teach or disclose "transferring incoming data for a TCP connection to said at least one posted generic buffer **prior to the non-posting TCP application posting a TCP application posted buffer for said incoming data**".

Accordingly, the Applicant respectfully submits that the independent claim 1 is not anticipated by Pettey under 35 U.S.C. § 102(e) based on the lack of disclosure or teaching of at least the limitation of "posting at least one **generic buffer** located in a memory external to a host adapter; and **transferring incoming data for a TCP connection to said at least one posted generic buffer prior to the non-posting TCP application posting a TCP application posted buffer for said incoming data**" as recited by the Applicant in the independent claim 1.

Furthermore, The Applicant reserves the right to argue additional reasons beyond those set forth herein to support the allowability of the amended independent claim 1 should such a need arise.

**B. Dependent claims 2-5 and 7-10 Are Not Unpatentable Over
Petthey.**

The Applicant submits that dependent claims 2-5 and 7-10 depend from the independent claim 1, respectively, and are allowable for at least the same rationale as discussed above for the independent claim 1. Accordingly, the Applicant respectfully submits that dependent claims 2-5 and 7-10 are also allowable. The Applicant reserves the right to argue additional reasons beyond those set forth herein to support the allowability of dependent claims 2-5 and 7-10 should such a need arise.

**C. Claims 11-15, 17-25 and 27-31 Are Not Unpatentable Over
Petthey.**

The Examiner states in the Office Action that: "claims 11-15, 17-25 and 27-31 have similar limitations as claims 1-5 and 7-10; therefore, they are rejected under the same rationale."

The Applicant submits that claims 1-5 and 7-10 are allowable based on Petthey's lack of disclosure or teaching of at least the limitation of "posting at least one **generic buffer** located in a memory external to a host adapter; and **transferring incoming data for a TCP connection to said at least one posted generic buffer prior to the non-posting TCP application posting a TCP application posted buffer for said incoming data**". Consequently, the

Applicant respectfully submits that claims 11-15, 17-25 and 27-31 have similar limitations as claims 1-5 and 7-10; therefore be allowable at least for the same rationale discussed above.

D. Objections of Dependent Claims 6, 16 and 26

In the Office Action, the Examiner states that claims 6, 16 and 26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 6, 16 and 26 are cancelled and are respectively replaced with added new claims 32-34 to include all of the limitations of the base claim and any intervening claims as suggested by the Examiner. The Applicant therefore respectfully submits that claims 32-34 are allowable.

Application No. 10/644,205
Reply to Office Action of June 18, 2007

CONCLUSION

Based on at least the foregoing, the Applicant believes that all claims 1-34 are in condition for allowance. If the Examiner disagrees, the Applicant respectfully requests a telephone interview, and requests that the Examiner telephone the undersigned Attorney at (312) 775-8093.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to the deposit account of McAndrews, Held & Malloy, Ltd., Account No. 13-0017.

A Notice of Allowability is courteously solicited.

Respectfully submitted,

Date: September 6, 2007

/ Ognyan I. Beremski /

Ognyan I. Beremski, Esq.
Registration No. 51,458
Attorney for Applicant

McANDREWS, HELD & MALLOY, LTD.
500 WEST MADISON STREET, 34TH FLOOR
CHICAGO, ILLINOIS 60661
(312) 775-8093 (FWV)